

STORM WATER MASTER PLAN PUBLIC MEETING MINUTES

January 27, 2010

The City Council of the City of Norman, Cleveland County, State of Oklahoma, attended a Storm Water Master Plan Public Meeting at 5:00 p.m. in the Municipal Building Council Chambers on the 27th day of January, 2010, and notice of the forum was posted at the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting. The City of Norman is hosting a Public Meeting on the Storm Water Master Plan as it relates to stream planning corridors. The public meeting is open to everyone with an interest in storm water and stream planning corridors. Although this forum is not a regularly scheduled meeting of Council a quorum of Council was present; therefore, a summary of the meeting is recorded as required by the Open Meeting Act.

PRESENT:

Councilmembers Atkins, Cubberley, Dillingham, Ezzell, Quinn, Mayor Rosenthal

ABSENT:

Councilmembers Butler, Griffith and Kovach

COMPARISON AND REVIEW OF REGIONAL APPROACHES TO FLOODPLAIN REGULATION.

Mr. Shawn O'Leary, Director of Public Works, welcomed attendees to the Storm Water Master Plan Public Meeting related to stream planning corridors. He said when Council accepted the Storm Water Master Plan last November, the resolution included an implementation plan to work towards goals outlined in the Plan. One criteria outlined in the implementation plan was to develop an ordinance for stream planning corridors within six months. In accordance therewith, Ms. Kathryn Walker, Assistant City Attorney, will present several ordinance examples tonight from other cities who utilize stream planning corridors as part of their storm water management program. He said staff is seeking input from the community on the examples given to help staff in preparing a draft ordinance for Norman.

Ms. Walker said the goals of tonight's meeting are to review what other regional cities are doing, evaluate the feasibility of approaches to Norman, gather community input, and gain consensus. She provided the history of floodplain regulations in Norman and said the increased federal and state regulations for storm water management created the need for a comprehensive approach. She said Council hired PBS&J in 2005 as the consultant who prepared the Storm Water Master Plan and Council accepted certain data in the Plan in November 2009. She outlined the current storm drainage and floodplain regulations and key recommendations from PBS&J outlined in the Storm Water Master Plan.

Ms. Walker provided an overview of ordinance regulations regarding storm water management from Broken Arrow and Tulsa, Oklahoma; Austin and San Antonio, Texas; Kansas City, Missouri; and Lenexa and Overland Park, Kansas. Upon completion of the comparison of cities, she asked for input from the audience as to aspects of each approach citizens liked and disliked for Norman. Staff fielded questions from the attendees and distributed comments cards which could be filled out and returned for review.

Items submitted for the record

1. PowerPoint presentation entitled, "Comparison and Review of Regional Approaches to Floodplain Regulation," presented by Shawn O'Leary, Director of Public Works, and Kathryn Walker, Assistant City Attorney

COMPILATION OF COMMENTS/QUESTIONS RECEIVED DURING THE MEETING.	
1.	<i>Mr. Richard McKown, developer, said 86% of the money spent to implement this program will be spent in areas developed prior to 1981. He discussed a current project he and his company are working on located in an impaired stream. He agreed the City needs to be able to get into areas to address drainage issues and perform maintenance. He was concerned the proposed Plan and maps would impact large tracts throughout the community, i.e., New Life Bible Church and Community Christian School, who would be financially impacted by the new regulations. He felt the City should send out letters to those parcels that would be affected in order that the property owners could provide input to the proposed regulations.</i>
2.	<i>Mr. Harold Heiple, attorney representing the Developers Council, said the developers were not opposed to the Storm Water Master Plan and believe the City should have a storm water utility that would allow the City to maintain drainage areas. He said stream planning corridors should be used as planning tools for "full build-out" scenarios not "no build" scenarios. He said the developers just want reasonable dialogue and he would like to work through the issues with a committee to develop an ordinance. He submitted a list of points and/or concerns identified by the developers for staff's review.</i>
3.	<i>Mr. Sean Rieger, attorney representing the Norman Builders Association, said the language in the Plan is very strict. He said the Plan requires land be dedicated to the City by easement or title, which he believes is a taking. He liked the incentives outlined in the Austin, Texas, ordinance and wanted to explore those possibilities. He said there are no provisions to deal with the point source of the storm water. He felt this puts the City of Norman at an uncompetitive disadvantage.</i>
4.	<i>Mr. Charles Schinder asked staff to describe the acreage and population in the Lake Thunderbird watershed at full build-out.</i>
5.	<i>Mr. Ben Newcomer, developer/builder, asked if the Plan provided for the City to compensate property owners for their land.</i>
6.	<i>Mr. Darrell Janaway, representing HOAs, said the current regulations do not work and property owners associations do not have the expertise and are not equipped to maintain these drainage areas. He felt the City needed to be the one who maintains drainage easements and detention ponds and was prepared to pay a storm water utility fee to accomplish that. He said there has to be a compromise that everyone can live with to address these enormous issues. He asked if other metro cities were working on similar plans and was concerned that all the commercial development in Moore could be impacting the Ten Mile Flat Creek which ultimately impacts neighborhoods downstream.</i>
7.	<i>Leonard Youngblood felt the information presented this evening was very complicated and encouraged staff to present it at a third grade level so that everyone could comprehend and understand. He felt the community could not provide input when they do not understand the issues.</i>
8.	<i>Mr. Larry Dillingham asked if there is a formal way to conduct meetings to address concerns and work towards a compromise.</i>

The meeting adjourned at 6:15 p.m.

ATTEST:

City Clerk

Mayor